

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gary VAN NEST and Stephen TUCK

Serial No.: 09/802,376

Filing Date: March 9, 2001

For: IMMUNOMODULATORY FORMULATIONS
AND METHODS FOR USE THEREOF

Examiner: To Be Assigned

Group Art Unit: 1636

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71**

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Dynavax Technologies Corporation, the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints:

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Sanjay S. Bagade (Reg No. 42,280)
Erwin J. Basinski (Reg No. 34,773)
Richard R. Batt (Reg No. 43,485)
Vincent J. Belusko (Reg No. 30,820)
Kimberly A. Bolin (Reg No. 44,546)
Tyler S. Brown (Reg No. 36,465)
A. Randall Camacho (Reg No. 46,595)
Robert K. Cerpa (Reg No. 39,933)
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Thomas E. Ciotti (Reg No. 21,013)
Matthew M. D'Amore (Reg No. 42,457)
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Carolyn A. Favorito (Reg No. 39,183)
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Madeline I. Johnston (Reg No. 36,174)
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Martin M. Noonan (Reg No. 44,264)
Paul J. Riley (Reg No. 38,596)
Terri Shieh-Newton (Reg No. 47,081)
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Todd W. Wight (Reg No. 45,218)
David T. Yang (Reg No. 44,415)
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Richard D. Jordan (Reg No. 33,519)
Ararat Kapouytian (Reg No. 40,044)
Cameron A. King (Reg No. 41,897)
Rimas T. Lukas (Reg No. 46,451)
Gladys H. Monroy (Reg No. 32,430)
Kate H. Murashige (Reg No. 29,959)
Catherine M. Polizzi (Reg No. 40,130)
Debra A. Shetka (Reg No. 33,309)
Rebecca Shortle (Reg No. 47,083)
Stanley H. Thompson (Reg No. 45,160)
E. Thomas Wheelock (Reg No. 28,825)
Frank Wu (Reg No. 41,386)
Peter J. Yim (Reg No. 44,417)
Karen R. Zachow (Reg No. 46,332)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018, telephone (650) 813-5600, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

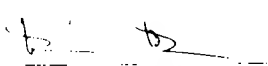
Please direct all written communications relative to this application to:

Karen R. Zachow, Ph.D.
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018

Please direct all telephone communications to Karen R. Zachow. at (650) 813- 5895.

Dynavax Technologies Corporation
a Delaware corporation

Dated: July 1, 01



Name: Dino Dina, M.D.
Title: President and CEO
Address: 717 Potter Street, Suite 100
Berkeley, CA 94710

JUN 24 2001

JUL 24 2001

PTO/SB 96 (10-92)

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 377882001700

In the application of: Gary VAN NEST and Stephen TUCK
Serial No.: 09/802,376
Filed: March 9, 2001
For: IMMUNOMODULATORY FORMULATIONS AND METHODS FOR USE THEREOF

Dynavax Technologies Corporation, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor of the patent application identified above, for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From :
To:
The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached
2. From :
To:
The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
3. From :
To:
The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet

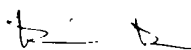
☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: July 1, 2001


Name: Dino Dima, M.D.
Title: President and CEO

**ASSIGNMENT
JOINT**

THIS ASSIGNMENT, by Gary VAN NEST and Stephen TUCK (hereinafter referred to as the assignors), residing at 639 Skyline Dr., Martinez, CA 94553 and 1742 Woodhaven Way, Oakland, CA 94611, respectively, witnesseth

WHEREAS, said assignors have invented certain new and useful improvements in IMMUNOMODULATORY FORMULATIONS AND METHODS FOR USE THEREOF, set forth in an application for Letters Patent of the United States, having an oath or declaration executed on even date herewith, bearing Serial No. 09/802,376 and filed on March 9, 2001; and

WHEREAS, Dynavax Technologies Corporation, a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 717 Potter Street, Suite 100, Berkeley, CA 94710 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

June 26, 2001

Date

Gary VAN NEST

June 26, 2001

Date

Stephen TUCK